

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

KENNETH M. JONES

PLAINTIFF

VS.

CIVIL ACTION NO. 3:18-cv-281-CWR-FKB

THE MISSISSIPPI SECRETARY
OF STATE, DELBERT
HOSEMANN, et al.

DEFENDANTS

ORDER

This matter is before the Court on a Show Cause Order [77] addressing discovery concerns raised in Defendants' Motion for Sanctions [63]. The Show Cause Order [77] deferred the award of sanctions and ordered responses from the parties pursuant to the instructions therein, including an order for Plaintiff to supplement his discovery responses on or before May 19, 2020. [77] at 1.

The Court finds that Plaintiff has again failed to comply with the Court's order to supplement his discovery responses, despite the warning that "failure to comply with the Court's orders herein will likely result in the imposition of sanctions." *Id.* at 2. In response [79] to the show cause order, Plaintiff maintains that he has not complied with court-ordered supplementation because he currently has no additional information or documentation beyond the interrogatory responses and responses to requests for production that he has already served. [79] at 1.

The Court finds this explanation unsatisfactory. If indeed there was no additional information or documentation responsive to Defendants' discovery requests, then the Plaintiff is required to provide updated responses to requests for production and sworn interrogatory

responses attesting to the fact that no further information is available. Because Plaintiff has refused to provide supplementation, Defendants have been placed in a position to pursue these discovery issues.

Therefore, due to Plaintiff's failure to comply with the Court's orders [59], [77], the Court assesses attorney fees to Plaintiff's counsel in the amount of \$693.00. This amount reflects defense counsel's fees for preparing for and participating in the March 6, 2020, telephonic discovery conference and for drafting and editing Defendants' Motion for Sanctions [63].¹

IT IS THEREFORE ORDERED AND ADJUDGED that

- (1) On or before June 15, 2020, Plaintiff shall supplement his responses to Interrogatory Nos. 2, 3, 5, 7, 11, 12, 13, 16, 18, 20, 21, and 24 and Requests for Production Nos. 7, 8, 10, 13, 14, 15, 16 and 17, in the manner set forth in the Court's prior Order [59]; and
- (2) On or before June 15, 2020, Plaintiff's counsel shall remit to defense counsel payment of \$693.00 in attorney fees.

Plaintiff is advised that failure to comply with the Court's orders herein will likely result in the imposition of further sanctions.

SO ORDERED AND ADJUDGED, this the 2nd day of June, 2020.

/s/ F. Keith Ball
UNITED STATES MAGISTRATE JUDGE

¹ The Court has not included defense costs for drafting and editing Defendants' supporting memorandum [64].